



CITY OF MORGAN HILL

**MORGAN HILL REDEVELOPMENT AGENCY
CITY COUNCIL**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

CITY COUNCIL

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook, Council Member
Greg Sellers, Council Member

WEDNESDAY, APRIL 26, 2000

JOINT AGENDA

**REDEVELOPMENT AGENCY SPECIAL AND REGULAR MEETING
&
CITY COUNCIL SPECIAL MEETING**

*A Special Meeting is called for Wednesday, April 26, 2000
at 6:00 P.M. for the purpose of conducting a Closed
Session*

Dennis Kennedy, Chairman/Mayor

6:00 P.M.

CALL TO ORDER

(Chairperson/Mayor Kennedy)

ROLL CALL ATTENDANCE

(Agency Secretary/ City Clerk Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Agency Secretary/ City Clerk Torrez)

City Council Action

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION:

PUBLIC EMPLOYMENT

Legal Authority: Government Code Section 54957
Position: City Manager Recruitment

CLOSED SESSION ANNOUNCEMENT:

7:00 P.M.

CERTIFICATE OF APPRECIATION

Library Commissioners
James Johnson
John Murillo

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**
(See notice attached to the end of this agenda.)

Redevelopment Agency

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #2 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Consent Calendar: 1 - 10 Minutes

Page

- | | | |
|----|---|----------|
| 1. | <u>LEASE EXTENSION WITH MACSA FOR THE EL TORO YOUTH CENTER</u> | 1 |
| | <u>Recommended Action:</u> | |
| | 1. <u>Approve</u> the Extension of the Lease with the El Toro Youth Center to 55 years,
and | |

2. **Authorize** Interim Executive Director to Execute Final Lease and Make Modifications as Needed.

2. **HOME IMPROVEMENT LOAN APPROVALS 43**

Recommended Action:

1. **Approve** the Following Home Improvement Loans under the Agency's Housing Rehabilitation Loan Program:
 - A) an additional \$20,000 to James and Anna White Who Live at 17340 Del Monte Ave.;
 - B) \$40,000 to Deborah Vajretti Who Lives at 334 Via Loma,
 - C) \$40,000 to Kenneth Kamai Who Lives at 17755 Monterey Road,
 - D) \$40,000 to Robert and Susan Kerr Who Live at 205 Warren Ave. and
 - E) \$40,000 to Jesse and Susan Ocegura Who Live at 18530 Del Monte Ave.;
2. **Direct** the Interim Executive Director to Do Everything Necessary to Prepare and Execute the Loan Documents; and
3. **Authorize** the Interim Executive Director to Approve Loans Up to \$40,000 and to Make Modifications to the Loan Programs Guidelines as Needed.

OTHER BUSINESS:

	Time Estimate		Page
3.	20 minutes	<u>CONCEPT PAPER FOR A BUSINESS INCUBATOR</u> 47 <u>Recommended Action:</u> <u>Direct</u> staff to assist the Morgan Hill Chamber of Commerce in their development of a detailed feasibility study for a business incubator in Morgan Hill.	
4.	10 minutes	<u>ACQUISITION OF 17060 MONTEREY ROAD (APN 726-13-002)</u> 53 <u>Recommended Action:</u> <ol style="list-style-type: none"> 1. <u>Authorize</u> the Interim City Manager/Executive Director to negotiate, prepare, and execute a purchase agreement and any other related documents with the Apostolic Assembly of the Faith in Christ Jesus, a California Corporation to acquire the property at 17060 Monterey Road (APN 726-13-002) for \$900,000, the conveyance of the City owned property on Butterfield/San Pedro (APN 817-11-062) and all closing and escrow costs. 2. <u>Appropriate</u> \$910,000 from the Redevelopment Agency Fund Balance (Fund 317). 	
5.	30 minutes	<u>REVIEW OF RDA PUBLIC IMPROVEMENTS, PROJECTS, AND PROGRAMS</u> 55 <u>Recommended Action:</u> <u>Review</u> the Agency financial forecast and begin discussion of priorities and the sequencing of projects.	

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #6 through #10 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant

to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

6. **MARCH FINANCE AND INVESTMENT REPORT** 59
Recommended Action: Accept and file report.

7. **SECOND AMENDMENT TO THE AGREEMENT WITH THE LAW FIRM OF JORGENSON, SIEGEL, MCCLURE AND FLEGEL, LLP IN THE AMOUNT OF \$115,000 FOR LEGAL SERVICES FOR THE PERIOD MARCH - AUGUST 2000** 69
Recommended Action: Authorize the Interim City Manager to Execute a Second Amendment to the Agreement with the Firm of Jorgenson, Siegel, McClure and Flegel.

8. **AMENDMENT TO COUNCIL POLICY REGARDING RULES FOR THE CONDUCT OF CITY COUNCIL MEETINGS** 87
Recommended Action: Adopt amended policy.

9. **PROPOSED AMENDMENT TO THE CITY'S CONFLICT OF INTEREST CODE BY AMENDING APPENDIX "A" - DESIGNATED POSITIONS TO SHOW CURRENT CITY POSITIONS AND DISCLOSURE CATEGORIES** 99
Recommended Action: Motion to adopt Resolution No. 5377 amending the City of Morgan Hill's Conflict of Interest Code

10. **APPROVAL OF SPECIAL MEETING MINUTES FOR APRIL 18, 2000** 107

PUBLIC HEARINGS:

	Time Estimate		Page
11.	45 minutes	<u>ZONING AMENDMENT 99-10 COCHRANE - THARALDSON DEVELOPMENT COMPANY</u> <u>Recommended Action:</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to approve</u> Mitigated Negative Declaration. Action- <u>Motion to waive</u> the reading in full of the Ordinance No. 1475, N.S. Approving the Zoning Amendment. <u>Motion to Introduce</u> Ordinance No. 1475, N.S. by title only.	109

OTHER BUSINESS:

	Time Estimate		Page
12.	10 minutes	<u>DEVELOPMENT AGREEMENT ENABLING ORDINANCE</u> <u>Recommended Action:</u> <u>Refer</u> Draft Ordinance to Planning Commission for Review and Comment.	201

OPPORTUNITY FOR PUBLIC COMMENT

Redevelopment Agency/City Council Action

CLOSED SESSION:

**Time
Estimate**

- 30 minutes** **1. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Legal Authority: Government Code 54956.8 & 54956.9(c) (1 potential case)

Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Mission View and Cochrane Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property)

City Negotiators: Agency Members; Interim Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel

Closed Session Topic: Potential Litigation
- 10 minutes** **2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**

Significant exposure to litigation pursuant to subdivision (b)(3)(E) of Government Code Section 54956.9: (1 case)

Attendees: Agency Board; Interim Executive Director; Interim Agency Counsel; Director of Business Assistance and Housing Services; Chief of Police, and William Strausz, special counsel
- 20 minutes** **3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Legal Authority: Government Code 54956.9(a)

Title of Case: Larry Farrow v. Paradise Motel et al.

Case No. C99-20527 JW-EAI

Attendees: Council Members; Interim City Manager; Interim City Attorney, Police Chief

CLOSED SESSION ANNOUNCEMENT

FUTURE AGENCY-INITIATED AGENDA ITEMS:

This is an Opportunity for Members of the Redevelopment Agency to Request Items for Future Agendas. Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT